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MT

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/087,552 05/29/98 HAWKINS

J 15886.169

021971 TM02/0911
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650 PAGE MILL ROAD
PALO ALTO CA 94304-1050

EXAMINER

LE, H

ART UNIT

PAPER NUMBER

2153

DATE MAILED:

09/11/01

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

SM

Office Action Summary

Application No.

09/087,552

Applicant(s)

Hawkins

Examiner

Le, Hieu

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jun 28, 2001
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17, 18, 28, 29, and 33-37 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17, 18, 28, 29, and 33-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

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Response to Amendment

1. The amendment filed 06/28/01 have been entered and made of record.
2. Applicant argument filed 06/28/01 with regard to claims 17 have been fully considered but not persuasive for the following reasons:

As to claim 17, 28-29, Applicant alleges that “Pepe uses a local proxy to convert input received on a browser of the device [,]” (p.7, line 17-p. 8, line 3). Firstly, the local proxy is a software package that runs in the background on the user terminal 52 (col. 7, lines 17-18) i.e. the local proxy is a part of the user terminal 52 and is used to execute function for the terminal, e.g. communicate with base station 60 using wireless transport protocol. Secondly, claim 17 uses the transitional term “comprising” which fails to preclude the existence of additional features. Thirdly, the Applicant is respectfully reminded that claim 17 is independent claim and the feature (does not use a local proxy, as such, the claimed invention is more efficient and requires fewer resources) upon which Applicant relies is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. *In re Van Guens*, 988 F. 2d 1181, 26 USPQ2d 1057 (Fed. Cir 1993).

Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 17-18, 28-29, 33 and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pepe et al [U.S. Pat. No. 5,673,322] in view of De Boor et al. [US. Pat. No. 6,173,316].

As to claim 17, Pepe discloses a method for accessing data over a network using a wireless device, the method comprising:

- receiving a user input (col. 5; lines 53-61).
- in response to the user-input, executing the application to generate a compressed query (Fig. 5).
- sending the compressed query to an external proxy server to cause the proxy server to request data from an Internet site (col. 6, lines 21-24);
- receiving a compressed response from the proxy server, the compressed response including data from the Internet site (col. 6, lines 26-29); and
- executing the application to render the data from the Internet site using the compressed response (col. 8, lines 13-15).

Pepe does not disclose a wireless application on the wireless device.

DeBoor discloses a method to provide a wireless communication device with a markup language machine interface. The various configurable parameters of the wireless communication

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device accessible via a config protocol. The wireless communication device setting are adjusted using form gadgets to specify the possible values for each setting (col. 26, lines 27-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use DeBoor's teachings to modify Pepe's method by using a wireless application in the wireless device in order to achieve a compact, portable, hand held wireless device with improved navigational method.

As to claim 28, refer to claim 17 rejection for their common features. DeBoor further discloses a computer readable medium in a wireless device (Fig. 1).

As to claim 18, De boor further discloses wherein receiving a user-input entered through a wireless application includes:

- displaying a list of wireless applications on the wireless device (col. 11, lines 35-50);
- receiving a user selection of a wireless application (col. 11, line 63-col. 12, line 3), and
- in response to the user selection, displaying a query form to allow a user to enter the user input (col. 30, lines 32-53).

As to claim 29, refer to claim 18 rejection for their common features. DeBoor further discloses a computer readable medium in a wireless device (Fig. 1).

As to claim 33, Pepe further discloses wherein executing the wireless application to generate a compressed query includes generating the query in compressed transport protocol (CTP) [Fig. 5, shows the local proxy on user's terminal generates a query in a compressed transport protocol (col.5, lines 54-57, col. 6, lines 1-9)].

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As to claim 35, Pepe further discloses wherein executing the wireless application to render the data includes executing the application to use the compressed response without converting the compressed response to another protocol [Fig. 5 shows the local proxy on user's terminal receives a compressed response in transport protocol from the remote proxy, the local proxy retrieves the data from the compressed response and returns it to the browser (i.e. without converting the compressed response to another protocol) (col. 8, lines 9-15)].

As to claim 36, refer to claim 33 rejection for their common features. DeBoor further discloses a computer readable medium in a wireless device (Fig. 1).

5. Claims 34, & 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pepe et al [U.S. Pat. No. 5,673,322] in view of De Boor et al. [US. Pat. No. 6,173,316] as applied to claim 17 above and 29 further in view of Kikinis [US. Pat. No. 5,727,159].

As to claim 34, neither Pepe nor De Boor discloses wherein executing the wireless application to generate a compressed query includes generating the query in compressed markup language (CML).

Kikinis discloses a hand held device that downloads data from a proxy server and reduce the size of files (col. 3, lines 19-30). The files are translated into an H-lite language to reduce its size and display it (col. 7, lines 6-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Kikinis's teachings to modify the combined method of Pepe, and DeBoor by using a compact markup language to fetch the data from the proxy server and display it in order to

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transform the files downloaded from the web into a form quickly and easily displayable by the wireless device and to minimize bandwidth requirements for the link and speeds transmission of data.

As to claim 37, refer to claim 34 rejection for their common features. DeBoor further discloses a computer readable medium in a wireless device (Fig. 1).

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Le whose telephone number is (703) 3 06-3101. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

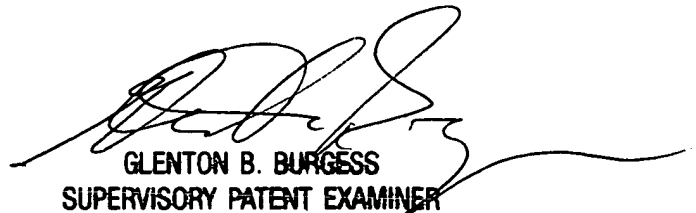
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Glenton Burgess, can be reached on (703) 305-4792. The fax phone number for this Group is (703)) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is 703-305-3900.



GLENTON B. BURGESS
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